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BROADCAST MUSIC, INC., *et al.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

12 BROADCAST MUSIC, INC.; SONY/ATV
SONGS LLC d/b/a SONY/ATV ACUFF ROSE
MUSIC; BOCEPHUS MUSIC, INC.; EMI AL
GALLICO MUSIC CORP.; COTILLION
MUSIC, INC.; TERRY STAFFORD MUSIC
CO.; SCREEN GEMS-EMI MUSIC, INC.;
15 SONGPAINTER MUSIC; BRO 'N SIS
MUSIC, INC.; SURE-FIRE MUSIC
16 COMPANY, INC.; SONY/ATV SONGS LLC
d/b/a SONY/ATV MELODY; SONY/ATV
17 SONGS LLC d/b/a SONY/ATV TREE
PUBLISHING; SCARLET MOON MUSIC
18 INC.; VELVET APPLE MUSIC; GLAD
MUSIC PUBLISHING & RECORDING LP;
19 PAPPY DAILY MUSIC LP; WARNER-
TAMERLANE PUBLISHING CORP.; SONGS
20 OF UNIVERSAL, INC.; THE MAKIKI
PUBLISHING CO. LTD. d/b/a PACIFIC
21 ISLAND PUBLISHING; PAINTED DESERT
MUSIC CORPORATION; RICH WAY
22 MUSIC, INC.; BMG PLATINUM SONGS
(US); UNIVERSAL MUSIC-Z TUNES, LLC
d/b/a UNIVERSAL MUSIC Z SONGS;
23 SHROOM SHADY MUSIC; HOTEL BRAVO
MUSIC; M SHOP PUBLISHING, A
DIVISION OF MACHINE SHOP
24 PUBLISHING, LLC; CHESTERCHAZ
PUBLISHING; ROB BOURDON MUSIC;
25 NONDISCLOSURE AGREEMENT MUSIC;
BIG BAD MR. HAHN MUSIC; KENJI
27 KOBAYASHI MUSIC; PANCAKEY CAKES
MUSIC; EMI BLACKWOOD MUSIC, INC.;
28 MASTER FALCON MUSIC; MATZA BALL

Case No. 3:12-cv-00166-SI
(MODIFIED)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' REQUEST TO BE
REPRESENTED AT SETTLEMENT
CONFERENCE BY COUNSEL**

Judge: Hon. Nandor J. Vadas
Date: August 23, 2012
Time: 11:00 a.m.
Crtrm.: 14
450 Golden Gate Avenue
San Francisco, CA

Trial Date: March 4, 2013

1 MUSIC; PRESCRIPTION SONGS, LLC d/b/a
2 WHERE DA KASZ AT; DICK JAMS, A
DIVISION OF DICK JAMS, LLC,

3 Plaintiffs,

4 v.

5 EDWARD R. STOLZ, II, individually, and
d/b/a PLAYA DEL SOL BROADCASTERS
6 operating radio station KRCK-FM; ROYCE
INTERNATIONAL BROADCASTING
7 CORPORATION; SILVER STATE
BROADCASTING, LLC operating radio
8 stations KFRH-FM and KBET-AM; GOLDEN
STATE BROADCASTING, LLC operating
9 radio station KREV-FM

10 Defendants.

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13 On August 9, 2012, in compliance with the Court's Settlement Conference Order, Dkt. No.
14 23, Plaintiffs lodged in the chambers of Magistrate Judge Nandor J. Vadas a copy of their
15 Settlement Conference Statement. The Settlement Conference is scheduled for August 23, 2012.

16 Plaintiffs' Settlement Conference Statement states that because BMI's representative is
17 located in Nashville, Tennessee, Plaintiffs request permission for BMI's counsel to represent the
18 plaintiffs at the Settlement Conference. It states that Plaintiffs' counsel has represented BMI for
19 more than 20 years in cases similar to the present case, is intimately familiar with the issues, and
20 has settlement authority. It states that BMI's representative will be available by telephone, if
21 necessary. Plaintiffs state that Defendants' counsel has agreed to Plaintiffs' representation by
22 Plaintiffs' counsel.

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1 The Court hereby GRANTS Plaintiffs' request to be represented at the August 23, 2012
2 Settlement Conference by BMI's counsel, Karen S. Frank.

3 **BMI is excused from personally attending the settlement conference on the following
4 conditions: Karen S. Frank shall have full authority to settle the matter AND BMI shall
be on telephone standby for the duration of the settlement conference.**

5 IT IS SO ORDERED.

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7 DATED: August 15, 2012

